

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION

THIS DOCUMENT RELATES TO:

TRACK THREE

MDL No. 2804

Case No. 17-md-2804

Judge Dan Aaron Polster

**MOTION TO PRECLUDE TESTIMONY FROM PLAINTIFFS' FACT WITNESSES
ABOUT PRESCRIPTION OPIOIDS BEING A "GATEWAY" TO OTHER DRUG USE**

EXHIBIT C

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE: NATIONAL PRESCRIPTION)
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Track Three Cases)

VIDEOTAPED DEPOSITION OF TONY VILLANUEVA
Conducted via Zoom
Warren, Ohio
Monday, November 30th, 2020

REPORTED BY: GREG S. WEILAND, CSR, RMR, CRR
JOB NO.: 4350418

1 you've mentioned so far?

2 A. No.

3 Q. Did you provide information to Trumbull
4 County about expenses incurred by the Sheriff's
5 Department from the diversion of opioids?

6 A. No.

7 Q. You referred a couple of times in your
8 earlier answers to the concept of a gateway and how
9 you believe that pills could serve as a gateway to
10 other drugs.

11 Did I fairly summarize your -- your point
12 of view?

13 A. Yes.

14 Q. What are the sources of information that
15 inform you about that gateway effect?

16 A. That is coming from victims, victims of
17 addiction and also victims' families, parents,
18 relatives of those who passed away from overdoses.

19 Q. And did you personally interview some
20 victims or families that described that to you?

21 A. I have interviewed victims and victims'
22 families, yes.

23 Q. Is it -- so is it fair to say that the
24 source of information that you have about this
25 gateway effect is based upon things you heard from

1 other people? Is that fair?

2 MR. ARNOLD: Objection to form.

3 THE WITNESS: It is based off of, again,
4 victims of overdoses, families of those who've
5 overdosed and those overdose deaths, and also
6 our -- our partnerships with the Trumbull
7 County Mental Health & Recovery Board and --
8 yeah.

9 BY MR. MOYLAN:

10 Q. Okay. So it's -- it's interviews with
11 victims and family members as well as some
12 information from the Mental Health & Recovery Board
13 for the County?

14 A. Yes.

15 Q. Are there any other sources of data or
16 information that support your view about the gateway
17 effect?

18 A. I'm sure there's some out there. I can
19 only testify as to, you know, my experience.

20 Q. Understood. So in terms of your
21 experience, how many -- if you could estimate for me
22 as best you can, understanding that it's not a
23 precise number -- but can you estimate how many
24 interviews you've conducted with victims or family
25 members in which they've described this effect to

1 you?

2 A. I can't put a number or an estimate to
3 that. There's a lot.

4 Q. Would it be more than a dozen?

5 A. Absolutely more than a dozen. And, again,
6 I can't put a number to it. There are some that
7 stick out more than others.

8 Q. What do you remember as far as ones that
9 stick out? Like how many times can you actually
10 remember having an interview with somebody in which
11 they described this to you?

12 A. There's a lot. I can't put a -- again, I
13 can't put a number to that.

14 Q. Okay. In the -- in the cases that you
15 have done interviews with victims and family
16 members, what follow-up investigation have you done
17 to verify in the information that they gave you was
18 correct?

19 A. In regards to the whole investigation of
20 where -- where the -- where the drug came from that
21 killed the victim?

22 Q. That's a fair -- that's a fair
23 clarification.

24 So specifically regarding a victim drug
25 history, if you've heard in your interviews with

1 people the statement that somebody started with
2 pills in the past and moved to something else, what
3 follow-up investigation can you remember doing to
4 determine if what they told you about the drug
5 history was correct?

6 A. I can't think of a time where that was
7 appropriate, to speak with a victim or speak with a
8 victim's family about their -- to investigate more
9 than what they actually told me about they started
10 off with prescription pills.

11 To me, that is enough of an answer. I
12 don't need to investigate that any more because the
13 real issue is we know that it started with
14 prescription pills. And it started with opiates and
15 moved on to this way and then it ended up this way.
16 And then it ended up that -- this way.

17 And the addiction was so strong that they
18 couldn't stop. And when they did stop and they
19 received help from wherever they decided to get
20 help, then, again, the addiction is so strong that
21 they end up going back to it.

22 I remember an interview -- I'm not sure if
23 I'm allowed to speak freely here.

24 Q. Well, let me -- you can continue and
25 finish your answer, and then I'll ask you another

1 going to start with the street drugs. They're going
2 to start with what they know. They're going to
3 start with prescription pills at the street level.

4 And when they realize that that one pill
5 may cost them anywhere from 20 to \$80, depending on
6 the type of pill and depending on the milligram of
7 that pill, they're going to start trying to figure
8 out what else is out there that can get me on that
9 same high as that prescription pill did.

10 Q. You've referred a lot to prescription
11 pills, but I -- I'd understood your initial answer
12 to say that there are many different drugs that are
13 part of an epidemic in Trumbull County; is that
14 correct?

15 A. Absolutely. And, again, we're talking
16 about your gateway drugs, prescription pills being
17 one of those gateway drugs. And in Trumbull County,
18 we're seeing a lot of that. The gateway is
19 prescription pills.

20 You know, some -- some may say that
21 marijuana was their gateway, but they moved on to
22 prescription pills. It might be vice versa.

23 Q. Okay. So with respect to the gateway that
24 you're describing, is this the same as when you
25 referred to the gateway effect earlier in your